

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

THE WAVE STUDIO, LLC,

Plaintiff,

-against-

GENERAL HOTEL MANAGEMENT LTD., et al.,

Defendants.

Case No. 7:13-cv-09239-CS-VR

**DECLARATION OF MICHAEL  
D. CILENTO IN OPPOSITION  
TO THE MOTION TO DISMISS  
FILED BY TRIP.COM GROUP  
LIMITED, TRIP.COM TRAVEL  
SINGAPORE PTE. LTD.,  
SKYSCANNER LTD., AND  
MAKEMYTRIP, INC. AND IN  
SUPPORT OF CROSS MOTION  
FOR LEAVE TO AMEND**

I, Michael D. Cilento, hereby declare under 28 U.S. § 1746:

1. I am an attorney at Lewis & Lin, LLC, counsel of record for Plaintiff The Wave Studio, LLC (“The Wave Studio”) in this matter. I have personal knowledge of the matters stated below and if called as a witness, I could and would testify competently thereto. I submit this declaration in Opposition to Trip.com Group Limited, Trip.com Travel Singapore PTE. LTD., Skyscanner LTD., and MakeMyTrip, Inc.’s Motion to Dismiss and in Support of Cross Motion for Leave to Amend.

2. Attached hereto as Exhibit 1 is a true and correct copy of the proposed new allegations for the Defendants Trip.com Group Limited, Trip.com Travel Singapore PTE. LTD., Skyscanner LTD., and MakeMyTrip, Inc.

3. At this time, with two motions to dismiss brought by different groups of defendants, with different issues, and correspondingly with two separate cross motions by which Plaintiff seeks to add allegations addressing the deficiencies claimed by each group of moving

defendants, providing a redline of the master complaint inclusive of the proposed allegations is impractical. Adding allegations and redlining its impact as to the remainder of the master complaint, prior to a ruling, for either or both groups of defendants in whole or in part, will necessarily create pagination and paragraph changes and multiple, conflicting versions of redlines.

4. Attached hereto as Exhibit 2 is a true and correct copy of an article titled “Ctrip CEO Interested in U.S. Potential and Sees a Brexit Boom,” on Skift, dated August 22, 2016, available at <https://skift.com/2016/08/22/ctrip-ceo-interested-in-u-s-potential-and-sees-a-brexite-boom/>, accessed on April 9, 2025.

5. Attached hereto as Exhibit 3 is a true and correct copy of an article titled “Ctrip Buys Trip.com for Skyscanner to Enhance Local Recommendations,” on Skift, dated November 1, 2017, available at <https://skift.com/2017/11/01/ctrip-buys-trip-com-for-skyscanner-to-enhance-local-recommendations/>, accessed on April 10, 2025.

6. Attached hereto as Exhibit 4 is a true and correct copy of an article titled “Trip.com’s Nearly Quarter Century Odyssey as a Can’t Lose Travel Domain, Right?” on Yahoo Finance, dated September 17, 2019, available at <https://finance.yahoo.com/news/trip-com-nearly-quarter-century-063018580.html>, accessed on April 9, 2025.

7. Attached hereto as Exhibit 5 is a true and correct copy of an excerpt from Trip.com Group Limited’s Form 20-F for the fiscal year ended December 31, 2020 from the

Security and Exchange Commission's official site titled, "Form 20-F: Trip.com Group Limited," available at

<https://www.sec.gov/Archives/edgar/data/1269238/000119312521081372/d73725d20f.htm>, with annotations indicated with yellow highlight, accessed on April 11, 2025.

8. Attached hereto as Exhibit 6 is a true and correct copy of a website page from the Security and Exchange Commission's official site titled "Trip.com Group to Hold Annual General Meeting on June 18, 2024," available at

<https://www.sec.gov/Archives/edgar/data/1269238/000119312524147548/d834575dex991.htm>, with annotations indicated with yellow highlight, accessed on April 10, 2025.

9. Attached hereto as Exhibit 7 is a true and correct copy of a website page titled "Trip.com," available at <https://us.trip.com/?locale=en-us>, with annotations indicated with yellow highlight, accessed on April 2, 2025.

10. Attached hereto as Exhibit 8 is a true and correct copy of the Apple Store website page for the Trip.com mobile application, displayed at <https://apps.apple.com/si/app/trip-com-flight-hotel-train/id681752345>, with annotations indicated with yellow highlight, accessed on April 10, 2025.

11. Attached hereto as Exhibit 9 is a true and correct copy of the Google Play Store website page for the Trip.com mobile application, displayed at [https://play.google.com/store/apps/details?id=ctrip.english&hl=en\\_US&gl=US](https://play.google.com/store/apps/details?id=ctrip.english&hl=en_US&gl=US), with annotations indicated with yellow highlight, accessed on April 9, 2025.

12. Attached hereto as Exhibit 10 is a true and correct copy of Flora (Xiuzhen) Zhang's LinkedIn webpage, available at <https://www.linkedin.com/in/flora-zhang-0925/>, accessed on April 9, 2025.

13. Attached hereto as Exhibit 11 is a true and correct copy of an excerpt of Trip.com Group's official LinkedIn webpage titled "Trip.com Group," available at <https://www.linkedin.com/company/tripcomgroup/people/?facetGeoRegion=103644278>, with annotations indicated with yellow highlight, accessed on April 9, 2025.

14. Attached hereto as Exhibit 12 is a true and correct copy of an excerpt of Trip.com Group's official LinkedIn webpage titled "Market Manager, New York City, Americas," available at <https://www.linkedin.com/jobs/view/market-manager-new-york-city-americas-at-trip-com-group-4133529464/>, accessed on April 9, 2025.

15. Attached hereto as Exhibit 13 is a true and correct copy of a website page titled "Trip.com Contact Numbers," available at [https://us.trip.com/help/?locale=en\\_us](https://us.trip.com/help/?locale=en_us), with annotations indicated with yellow highlight, accessed on April 9, 2025.

16. Attached hereto as Exhibit 14 is a true and correct copy of Trip.com's official LinkedIn webpage titled "Trip.com," available at <https://www.linkedin.com/company/trip-com>, accessed on April 9, 2025.

17. Attached hereto as Exhibit 15 is a true and correct copy of a website titled "Better Business Bureau: Ctrip," available at <https://www.bbb.org/us/ny/new-york/profile/online-travel-agency/ctrip-0121-169893>, accessed on April 9, 2025.

18. Attached hereto as Exhibit 16 is a true and correct copy of a website titled “Trip.com Supplier Registration Guide,” available at <https://us.trip.com/m/vbooking/guide?>, with annotations indicated with yellow highlight, accessed on April 9, 2025.

19. Attached hereto as Exhibit 17 is a true and correct copy of an excerpt from Trip.com Group Limited’s Form 20-F for the fiscal year ended December 31, 2023 from the Security and Exchange Commission’s official site titled, “Form 20-F: Trip.com Group Limited,” available at <https://www.sec.gov/Archives/edgar/data/1269238/000119312524122196/d630811d20f.htm>, accessed on April 11, 2025.

20. Attached hereto as Exhibit 18 is a true and correct copy of a website titled “Key Account Manager, Chains, Americas,” available at [https://www.theladders.com/job/key-account-manager-chains-americas-trip-com-travel-singapore-pte-orlando-fl\\_79278506](https://www.theladders.com/job/key-account-manager-chains-americas-trip-com-travel-singapore-pte-orlando-fl_79278506), accessed on April 9, 2025.

21. Attached hereto as Exhibit 19 is a true and correct copy of a website titled “Market Executive, Global Chain, APAC,” available at [https://jobs.recruiter.com/jobs/19215452597-market-executive-global-chain-apac?utm\\_campaign=google\\_jobs\\_apply&utm\\_source=google\\_jobs\\_apply&utm\\_medium=organic](https://jobs.recruiter.com/jobs/19215452597-market-executive-global-chain-apac?utm_campaign=google_jobs_apply&utm_source=google_jobs_apply&utm_medium=organic), accessed on April 9, 2025.

22. Attached hereto as Exhibit 20 is a true and correct copy of a website page titled “Whois Record for Trip.com,” available at <https://whois.domaintools.com/trip.com>, annotations indicated with yellow highlight, accessed on March 9, 2025.

23. Attached hereto as Exhibit 21 is a true and correct copy of a website page titled “Skyscanner,” available at <https://skyscanner.com>, with annotations indicated with a red box, which I accessed on April 11, 2025.

24. Attached hereto as Exhibit 22 is a true and correct copy of a pop-up of a website page titled “Regional Settings,” available at <https://skyscanner.com>, with annotations indicated with yellow highlight, accessed on April 8, 2025.

25. Attached hereto as Exhibit 23 is a true and correct copy of the Apple Store website page for the Skyscanner mobile application, displayed at <https://apps.apple.com/us/app/skyscanner-flights-hotels-cars/id415458524>, with annotations indicated with yellow highlight, accessed on April 9, 2025.

26. Attached hereto as Exhibit 24 is a true and correct copy of the Google Play Store website page for the Skyscanner mobile application, displayed at [https://play.google.com/store/apps/details?id=net.skyscanner.android.main&hl=en\\_US&gl=US](https://play.google.com/store/apps/details?id=net.skyscanner.android.main&hl=en_US&gl=US), accessed on April 9, 2025.

27. Attached hereto as Exhibit 25 is a true and correct copy of a website titled “Skyscanner: Company details” available at <https://www.skyscanner.com/company-details>, accessed on April 9, 2025.

28. Attached hereto as Exhibit 26 is a true and correct copy of a website titled “Skyscanner Travel Trends 2025,” available at <https://www.skyscanner.com/travel-trends>, with annotations indicated with a red box, accessed on April 9, 2025.

29. Attached hereto as Exhibit 27 is a true and correct copy of a website page titled “Whois Record for SkyScanner.com,” available at

<https://whois.domaintools.com/skyscanner.com>, with annotations indicated with yellow highlight, accessed on March 9, 2025.

30. Attached hereto as Exhibit 28 is a true and correct copy of a screenshot of an inspected website page titled “Trip.com,” with annotations indicated with green boxes, available at [us.trip.com/?locale=en-us](https://us.trip.com/?locale=en-us), accessed on April 10, 2025.

31. Attached hereto as Exhibit 29 is a true and correct copy of a website page titled “IP Address Lookup: 23.44.229.226” with annotations indicated with yellow highlight, available at <https://www.iplocation.net/ip-lookup>, accessed on April 10, 2025.

32. Attached hereto as Exhibit 30 is a true and correct copy of a screenshot of an inspected website page of a photo available at “[https://ak-d.tripcdn.com/images/02243120009m6myuxFDB1\\_R\\_800\\_525\\_R5\\_D.jpg](https://ak-d.tripcdn.com/images/02243120009m6myuxFDB1_R_800_525_R5_D.jpg),” with annotations indicated with green boxes, accessed on April 10, 2025.

33. Attached hereto as Exhibit 31 is a true and correct copy of a screenshot of an inspected website page titled “Skyscanner: Peppermill Resort Spa Casino,” available at <https://www.skyscanner.com/hotels/united-states/reno-hotels/peppermill-resort-spa-casino/ht-99579255?checkin=2025-04-17&chec>, accessed on April 9, 2025.

34. Attached hereto as Exhibit 32 is a true and correct copy of a website page titled “Amazon CloudFront,” available at <https://aws.amazon.com/cloudfront/>, accessed on April 10, 2025.

31. Attached hereto as Exhibit 33 is a true and correct copy of a website page titled “IP Address Lookup: 18.239.199.41” available at <https://www.iplocation.net/ip-lookup>, accessed on April 11, 2025.

I declare under penalty of perjury that the foregoing is true and correct. Executed on  
April 11, 2025 in Brooklyn, New York.

/s/ Michael D. Cilento

Michael D. Cilento